

Who Needs A Permit and Why?

Q: Why do I need a permit to work on my own home?

A: The Florida Building Code requires a permit for most work. The code further requires all permitted work to be inspected periodically throughout the duration of the project. Through these inspections, the code ensures the public health, safety and general welfare is maintained and our investments in the built environment are preserved.

Q: What is the purpose of the Florida Building Code?

A: To ensure that the built environment complies with minimum standards for structural strength, means of egress, stability, sanitation, light and ventilation, energy conservation and fire protection. Through the code, our citizens have reasonable assurance that the places we live, work, worship and play are safe from structural failure, fire hazards, electrical shock, sanitary hazards and other risks.

Q: What happens if I choose not to secure the required permit?

A: You would be issued a notice of code violation. The penalty for such is double the permit fee. You could be subject to costly code enforcement actions. In addition, there may be costly fees for third party engineering analyses that could be required for areas of work that have been concealed. You also leave yourself vulnerable to possible litigation if you ever decide to sell your home.

Q: Do I need an architect and or an engineer?

A: Maybe. It depends on what the proposed work is. Additions, sheds and the like would require an architect or engineer, where a wood fence would not.

Q: Do I need a contractor?

A: With some exceptions, not if you own and occupy the house. State statutes allow the owners of real property to act as their own contractor. The exemption may only be used if you own and occupy the property. As an owner builder though, if you don't complete all of the work yourselves, you must supervise the work, and hire licensed trade subcontractors (electric, plumbing, a/c, and roof) in accordance with state law. Any person working on your building who is not licensed must work under your direct supervision and you are required to deduct F.I.C.A. and withholding tax, and provide workers compensation insurance. You cannot act as your own contractor for rental property.

Q: If I use a contractor, what guidelines should I use to choose one?

A: Ask to see their state license, verify the contractor has an active license with DBPR covering the type of type of work you want. A good source is: <http://myflorida.com/>. Check your local building department to see if there are any local complaints or actions against their license. Request and check a minimum of 3 references of work completed within the previous three years for the same type of work you are requesting. Have the contractor supply you with up to date certificates of insurance issued directly from their insurance provider; they must have general liability as well as worker's compensation. If they ask you to secure the permit, a red flag should pop up. They may not be licensed, which puts you totally at risk. (Under the law, the permit holder is responsible for all of the work as well as the warranty of the work!)